

Wetlands Bureau Decision Report

Decisions Taken
11/15/2010 to 11/21/2010

DISCLAIMER:

This document is published for information purposes only and does not constitute an authorization to conduct work. Work in jurisdiction may not commence until the applicant has received a posting permit.

Decisions are subject to appeal, and are reviewed by the federal agencies for compliance with Section 404 of the Federal Clean Water Act.

APPEAL:

I. Any affected party may ask for reconsideration of a permit decision in accordance with RSA 482-A:10,II within 30 days of the Department's issuance of a decision. Requests for reconsideration should:

- 1) describe in detail each ground for complaint. Only grounds set forth in the request for reconsideration can be considered at subsequent levels of appeal;
- 2) provide new evidence or information to support the requested action;
- 3) Parties other than the applicant, the town, or contiguous abutters must explain why they believe they are affected; and
- 4) Be mailed to the DES Wetlands Bureau, PO Box 95, Concord, NH 03302-0095.

II. An appeal of a decision of the department after reconsideration may be filed with the Wetlands Council in accordance with RSA 482-A:10, IV within 30 days of the department's decision. Filing of the appeal must:

- 1) be made by certified mail to George "Chip" Kimball, Chairperson, Wetlands Council, PO Box 95, Concord, NH 03302-0095 (a copy should also be sent to the DES Wetlands Bureau);
- 2) contain a detailed description of the land involved in the department's decision; and
- 3) set forth every ground upon which it is claimed that the department's decision is unlawful or unreasonable.

MAJOR IMPACT PROJECT

2005-00817 500 NORTH ROAD REALTY TRUST LLC
EPSOM Unnamed Wetland

Requested Action:

Request to waive Administrative Rule Env-Wt 502.01 which states "issued permits and completed permit by notifications shall have a duration of 5 years..."

Conservation Commission/Staff Comments:

Conservation Commission comments have been incorporated into design; is willing to hold mitigation conservation easement.

Inspection Date: 09/13/2005 by Dori A Wiggin

APPROVE TIME EXTENSION:

Dredge and fill a total of 35,257 square feet of palustrine forested wetlands over a total of 11 locations to construct roadway crossings for a 37-lot subdivision on 122 acres, including the following: wetlands impact #1: 1,400 sq. ft. crossing and installation of a 36" x 45' culvert; wetland impact #2: 1,580 sq. ft. crossing fill; wetland impact #3: 4,480 sq. ft. and installation of a 36" x 45' culvert; wetland impact #4: 7,620 sq. ft. and installation of a 10' x 4' x 50' spanning structure; wetland impact #5: 8,460 sq. ft. and installation of a 36" x 64' culvert, and installation of a second 36" x 80' culvert; wetland impact #6: 4,950 sq. ft. and installation of a 15" x 46' culvert; wetland impact #7: 175 sq. ft. shoulder fill; wetland #8: 542 sq. ft. bridge abutments; wetland impact #9: 1,650 sq. ft. crossing fill; wetland impact #10: 1,550 sq. ft. and installation of a 15" 54' culvert; wetland impact #11: 2,850 sq. ft. and installation of a 48" x 95' culvert.

Approve as mitigation a conservation easement on 15.56 acres (5.03 upland and 10.53 wetland) associated with the Little Bear Brook on the property to be held by the Town of Epsom Conservation Commission.

With Conditions:

1. All work shall be in accordance with plans by Eric C Mitchell and Associates dated May 27, 2008, as received by the Department on May 28, 2008.
2. This permit is contingent on approval by the DES Alteration of Terrain Bureau.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau.
5. Record conservation easement plan by Eric Mitchell and Associates Inc., entitled "Conservation Easement Plat, Tax Map R-15, Lots 4, 4-12, & 4-34, North Road, Epsom, NH for Graystone Builders" dated 7/29/2005, for each appropriate lot within 10 days from receipt of this decision and submit a certified receipt from the Merrimack County Registry of Deeds to the DES Wetlands Bureau.
6. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
7. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #6 of this approval.
8. At least 48 hours prior to the start of construction, a pre-construction meeting shall be held with NHDES Land Resources Management Program staff at the project site or at the DES Office in Concord, N.H. to review the conditions of this wetlands permit and the NHDES Site Specific Permit. It shall be the responsibility of the permittee to schedule the pre-construction meeting, and the meeting shall be attended by the permittee, his/her professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.
9. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
10. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
11. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
12. Silt fencing must be removed once the area is stabilized.

13. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
14. Unconfined work within the river, exclusive of work associated with installation of a cofferdam, shall be done during periods of low flow.
15. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed without restriction.
16. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
17. Temporary cofferdams shall be entirely removed immediately following construction.
18. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
19. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
20. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
21. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
22. Proper headwalls shall be constructed within seven days of culvert installation.
23. Culvert outlets shall be protected in accordance with the DES Best Management Practices for Urban Stormwater Runoff Manual (January 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August 1992).
24. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
25. Work shall be done during low flow.

Wetland preservation:

1. This permit is contingent upon the execution of a conservation easement on 15.53 acres as depicted on plans by Eric Mitchell and Associates Inc., entitled "Conservation Easement Plat, Tax Map R-15, Lots 4, 4-12, & 4-34, North Road, Epsom, NH for Graystone Builders" dated 7/29/2005, received 8/3/2005, to be held by the Town of Epsom, with stewardship by the Epsom Conservation Commission.
2. The conservation easements to be placed on the preservation areas shall be written to run with the land, and both existing and future property owners shall be subject to this easement.
3. The plan noting the conservation easement with a copy of the final easement language shall be recorded with the Registry of Deeds Office for each appropriate lot. A copy of the recording from the County Registry of Deeds Office shall be submitted to the DES Wetlands Bureau prior to the start of construction.
4. The applicant shall prepare a report summarizing existing conditions within the conservation area. Said report shall contain photographic documentation of the easement area, and shall be submitted to the DES and the grantee prior to construction to serve as a baseline for future monitoring of the easement area.
5. The conservation easement area shall be surveyed by a licensed surveyor, and marked by monuments [stakes] prior to construction.
6. The Wetlands Bureau shall be notified of the placement of the easement monuments to coordinate on-site review of their location prior to construction.
7. There shall be no removal of the existing vegetative undergrowth within the easement area and the placement of fill, construction of structures, and storage of vehicles or hazardous materials is prohibited.
8. Activities in contravention of the conservation easement shall be construed as a violation of RSA 482-A, and those activities shall be subject to the enforcement powers of the Department of Environmental Services (including remediation and fines).

With Findings:

DES Reaffirms findings 1 through 10 of the original permit and amendment decision with additional findings for the waiver request:

1. This is a major impact project per Administrative Rule Wt 303.02(c), alteration of non-tidal wetlands, surface waters and adjacent banks in excess of 20,000 square feet; and per Rule Wt 303.02(i), projects that alter or disturb more than 200 linear feet of an intermittent or perennial stream or its banks.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01. It is necessary to cross wetlands to reach buildable uplands throughout this property.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03. The project has confined the wetland crossings to the narrowest locations practicable given the steep nature and extreme variations of the topography of the site. The impacts are limited to road crossings, with no further impact proposed for driveways or lot development.
4. The applicant has further examined alternatives by providing comparative plan of designs for certain crossings with respect to necessity of culvert installation and the associated increase in impact.
5. The applicant has mitigated for unavoidable impacts in accordance with Chapter Wt 800, and has provided a 15.53 acre (5.03 acres of upland and 10.53 acres of wetlands) conservation easement associated with the Little Bear Brook on the property that exceeds the ratio requirements stated in Wt 803.05 for 38,125 square feet of forested wetlands impact. The Town of Epsom has submitted written verification dated 10/24/2005 as received by DES on 11/03/2005 stating that they are willing to accept the easement and provide stewardship.
6. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project. The project received a DES Site-Specific permit on 9/16/2005. There were no NHI hits for this project. Concerns expressed by the Epsom Conservation Commission regarding enlarging culverts for wildlife passage have been addressed by the applicant by installing a large, natural bottom box culvert, and a bridge at the more significant crossing locations. Hydrologic connectivity of the wetlands will be maintained by installing culverts in certain locations identified in the culvert analysis where none were previously proposed, and the road was re-aligned to provide protection to a vernal pool identified on-site.
7. DES Staff conducted a field inspection of the proposed project on 9/13/2005. Field inspection observations verified that the crossings could not be further minimized by reasonable engineering practices due to the nature of the site's steep and varied topography, and that the applicant's use of large pipes, box culverts, and a bridge represent positive response to the more significant crossings.
8. The public hearing is waived with the finding that the project impacts will not significantly impair the resources of this wetland ecosystem.
9. The impacts for the overall project decreased as the profile of the road was lowered.
10. The applicant has provided an adequate dewatering plan and therefore condition number 8 has been removed from the permit.

Additional waiver findings:

11. The applicant contacted DES in the spring of 2010 because the permit was close to expiring and they wanted to discuss extending the permit expiration deadline due to the poor economic conditions.
12. The applicant met with DES on May 25, 2010, during the discussion DES suggested that a waiver to the timeframes prescribed by Administrative Rule Env-Wt 502.01 may be appropriate given the economic constraints, Town building lot limit and time to conduct negotiations with the Epsom Conservation Commission and Bear Paw Conservation Agency to possibly purchase the properties.
13. Administrative Rule Env-Wt 204.01 provides that waiver to rules are to accommodate those situations where strict adherence to the rules would not be in the best interest of the public or the environment.
14. On June 22, 2010, DES received a request for a waiver pursuant to Env-Wt 204.03.
15. Administrative Rule Env-Wt 204.04(a) provides that a request for a waiver shall be granted if:
 - (1) Granting the request will not result in:
 - a. An adverse effect to the environment or natural resources of the state, public health, or public safety; or
 - b. An impact on abutting properties that is more significant than that which would result from complying with the rule; and
 - (2) One or more of the following conditions is satisfied:
 - a. Granting the request is consistent with the intent and purpose of the rule being waived;
 - b. Strict compliance with the rule will provide no benefit to the public and will cause an operational or economic hardship to the applicant;
- (b) No waiver shall be granted if the effect of the waiver would be to waive or modify a statutory requirement.

16. Permit 2005-00817 has an expiration date of November 23, 2010.
17. The applicant has indicated that due to the recent economic conditions and housing market that not enough lots have sold to facilitate the need to extend the subdivision road further than is currently constructed.
18. The applicant is working with the aforementioned Conservation groups to purchase the remaining property. These discussions would not leave enough time to construct the road if the lots are not purchased. Additionally, one of the remaining crossings is estimated to cost over \$250,000.00, which would not be needed if the land is sold to the conservation groups.
19. This would also result in un-needed disturbance in a potential conservation area.
20. The previously amended permit was for 11 impacts resulting in 35,257 sq. ft. of wetlands impact.
21. To date only 4,950 sq. ft. of wetlands have been impacted.
22. The applicant has requested a 3-year extension of the existing permit.
23. Compliance with the rule in this case would represent a burden and economic hardship to the applicant.
24. The applicant has provided the additional impact fees that are consistent with the current impact fee structure.
25. Due to the potential conservation opportunity and the economic hardship faced by the applicant, DES believes that a 3-year time extension is appropriate to allow time for the economy to recover to a point where the applicant can perform the work or the property sold for further conservation.
26. No further time extension will be granted by the DES Wetlands Bureau for this project.
27. Based on findings 11 through 26 DES has granted the waiver request and granted a onetime permit timeframe extension.

2010-00428 HANOVER, TOWN OF
HANOVER Connecticut River

Requested Action:

Construct a 6 ft x 10 ft concrete pad to anchor a 10 ft x 90.2 ft gangway accessing a 10 ft x 180 ft seasonal pier on an average of 1,383 ft of frontage on the Connecticut River in Hanover.

Conservation Commission/Staff Comments:

see file for comments

Inspection Date: 06/11/2010 by Chris T Brison

APPROVE PERMIT:

Construct a 6 ft x 10 ft concrete pad to anchor a 10 ft x 90.2 ft gangway accessing a 10 ft x 180 ft seasonal pier on an average of 1,383 ft of frontage on the Connecticut River in Hanover.

With Conditions:

1. All work shall be in accordance with plans by Engineering Ventures, PC dated February 17, 2010, as received by the NH Department of Environmental Services (DES) on February 23, 2010.
2. This approval is contingent on receipt by DES of a one time payment of \$ 9,027.41 to the DES Aquatic Resource Mitigation (ARM) Fund. The payment shall be received by DES within 120 days of the date of the approval letter or the application will be denied.
- 3 Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
4. The installation and removal of the pier and gangway shall be done at a time when there are sufficient water levels to float the pier into place and avoid unnecessary impacts to the riverbed.
5. Appropriate siltation, erosion, and turbidity controls shall be in place prior to the construction of the concrete anchor pad, shall be maintained during construction, and shall remain until the area is stabilized.
6. There shall be no cutting of trees or removal of any stumps from the bank except for the area within which construction of the concrete pad will take place.
7. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee.
8. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to construction.

9. This docking facility shall be utilized indefinitely as a public access to the Connecticut River and shall not be changed to private use.
10. This structure, the pre-existing "T" shaped pier, and the existing boat ramp shall be the only structures on this water frontage and all portions of the structures shall be at least 20 ft from abutting property lines or the imaginary extension of those lines into the water.
11. The seasonal pier and gangway shall be completely removed from the river for the non-boating season.
12. No portion of the pier shall extend more than 80 feet from the ordinary high waterline.
13. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This project is classified as a major project per Rule Env-Wt 303.02(d), construction of a major docking facility.
2. The applicant has an average of 1,383 feet of frontage along the Connecticut River.
3. A maximum of 19 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75'.
4. The existing and proposed docking facilities will provide a total of 10 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.13.
5. The Applicant has submitted an evaluation of the site and project, compiled by a qualified environmental professional, documenting that the project will not adversely effect wildlife or the adjacent near shore wetlands.
6. Public hearing is waived based upon review of the minutes of multiple local and regional public meetings, in addition to the regular file materials, with the finding that the project impacts will not significantly impair the resources of the Connecticut River.
7. The applicant has reviewed on-site options for mitigation and the Department has determined that this project is acceptable for payment to the Aquatic Resource Mitigation (ARM) Fund.
8. The payment calculated for the proposed aquatic resource loss equals \$9,027.41.
9. The Department decision is issued in letter form and upon receipt of the ARM fund payment, the Department shall issue a posting permit in accordance with Env-Wt 803.08(f).
10. The payment into the ARM fund shall be deposited in the DES fund for the Connecticut River - Waits River to White River watershed per RSA 482-A:29.

-Send to Governor and Executive Council-

2010-01917 SWANSON, RICHARD & MARY
ALTON Lake Winnepesaukee

Requested Action:

Approve name change to: Richard & Mary Swanson, 41 Norfolk Ave., Westwood, MA 02090 per request received 11/15/10.
Previous owner: Bruce & Rebecca Berk.

Conservation Commission/Staff Comments:

Con Com has no concerns

APPROVE NAME CHANGE:

Fill 1,150 sq ft to construct 66 linear ft of breakwater, in a "dog leg" configuration, with a 6 ft gap at the shoreline, and a 4 ft x 24 ft cantilevered pier accessed by a 4 ft x 26 ft walkway with a piling supported boatlift, on an average of 100 ft of frontage on Lake Winnepesaukee, Alton.

With Conditions:

1. All work shall be in accordance with plans by Winnepesaukee Marine Construction dated July 9, 2010, as received by the Department on July 20, 2010.
2. This permit shall not be effective until it has been recorded with the Belknap County Registry of Deeds office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to

construction.

3. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
4. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
5. These shall be the only structures on this water frontage and all portions of the structures, including the breakwater toe of slope, shall be at least 20 ft from the abutting property lines or the imaginary extension of those lines into the water.
6. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
7. No portion of breakwater as measured at normal full lake shall extend more than 50 feet from normal full lake shoreline.
8. The breakwater shall not exceed 3 feet in height(Elev. 507.32) over the normal high water line(Elev. 504.32).
9. The width as measured at the top of the breakwater(Elev. 507.32) shall not exceed 3 feet.
10. Rocks may not remain stockpiled on the frontage for a period longer than 60 days.
11. Photos showing that all construction materials have been removed from the temporary stockpile area shall be submitted to the Bureau upon completion of the docking facility.
12. This facility is permitted with the condition that future maintenance dredging, if needed, shall not be permitted more frequently than once every 6 years, and that a new permit shall be required for each dredge activity.
13. The owner understands and accepts the risk that if this facility requires dredging to maintain a minimum slip depth of 3 feet, more frequently than once every 6 years, or is shown to have an adverse impact on abutting frontages, it shall be subject to removal.
14. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, per RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland after July 1, 2008.

With Findings:

1. This permit transfer is issued in accordance with NH Administrative Rule Env-Wt 502.02.

-Send to Governor and Executive Council-

2010-02137 GAGNON, MARCO
LEMPSTER Unnamed Stream Tributary To Dodge Brook

Requested Action:

Proposal to fill approximately 32,863 sq. ft. of wetland associated with the construction of a 1.56 mile paved road racing circuit and retain after the fact wetland impacts.

Conservation Commission/Staff Comments:

The Conservation Commission has not made comments

APPROVE AFTER THE FACT:

Proposal to fill approximately 32,863 sq. ft. of wetland associated with the construction of a 1.56 mile paved road racing circuit and retain after the fact wetland impacts.

With Conditions:

1. All work shall be in accordance with plans by Schauer Environmental Consultants, LLC dated July 9, 2010, as received by the NH Department of Environmental Services (DES) on August 4, 2010.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. This permit is contingent on approval by the DES Alteration of Terrain Bureau. Work shall not commence prior to obtaining such approval.
4. This permit is contingent on approval by the DES Subsurface Systems Bureau.
5. Work shall be done in conjunction with the approved restoration activities outlined in the Restoration Plan approval dated

November 15, 2010.

6. This permit shall not be effective until it has been recorded with the Sullivan County Registry of Deeds office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to construction.
7. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
8. This permit is contingent upon the creation of 74,555 sq. ft. of wetlands in accordance with plans received by DES on August 4, 2010.
9. This permit shall not be effective until it has been recorded with the Sullivan County Registry of Deeds office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to construction.
10. The schedule for construction of the mitigation area shall coincide with site construction unless otherwise considered and authorized by the Wetlands Bureau.
11. The mitigation area shall be properly constructed, monitored, and managed in accordance with approved final mitigation plans.
12. Wetland creation areas shall be properly constructed, landscaped, monitored and remedial actions taken that may be necessary to create functioning wetland areas similar to those of the wetlands destroyed by the project. Remedial measures may include replanting, relocating plantings, removal of invasive species, changing soil composition and depth, changing the elevation of the wetland surface, and changing the hydrologic regime.
13. The permittee shall designate a qualified professional who will be responsible for monitoring and ensuring that the mitigation areas are constructed in accordance with the mitigation plan. Monitoring shall be accomplished in a timely fashion and remedial measures taken if necessary. The Wetlands Bureau shall be notified in writing of the designated professional prior to the start of work and if there is a change of status during the project.
14. The permittee shall notify DES and the local conservation commission in writing of their intention to commence construction no less than 5 business days prior to construction.
15. The permittee or a designee shall conduct a follow-up inspection after the first growing season, to review the success of the mitigation area and schedule remedial actions if necessary. A report outlining these follow-up measures and a schedule for completing the remedial work shall be submitted by December 1 of that year. Similar inspections, reports and remedial actions shall be undertaken in at least the second and third years following the completion of each mitigation site.
16. Wetland creation areas shall have at least 75% successful establishment of wetlands vegetation after two (2) growing seasons, or shall be replanted and re-established until a functional wetland is replicated in a manner satisfactory to the DES Wetlands Bureau.
17. The permittee shall delineate the wetlands within the mitigation site, document the delineation with data forms, and depict the delineation as an overlay of the final as-built plans after at least five full growing seasons.
18. Wetland soils from areas vegetated with purple loosestrife shall not be used in the wetland creation site. The potential for the establishment of the invasive species should be considered in other areas where spoils may be spread to limit its further establishment.
19. The permittee shall attempt to control invasive, weedy species such as purple loosestrife (*Lythrum salicaria*) and common reed (*Phragmites australis*) by measures agreed upon by the Wetlands Bureau if the species is found in the mitigation areas during construction and during the early stages of vegetative establishment.
20. A post-construction report documenting the status of the completed project with photographs shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.
21. This permit is contingent upon the execution of an agreement to convey 57 acres to the New Hampshire Department of Resources and Economic Development as depicted on plans received by DES on October 21, 2010.
22. At least 48 hours prior to the start of construction, a pre-construction meeting shall be held with DES Land Resources Management Program staff at the project site or at the DES Office in Concord, N.H. to review the conditions of this wetlands permit and the DES Alteration of Terrain Permit. It shall be the responsibility of the permittee to schedule the pre-construction meeting, and the meeting shall be attended by the permittee, his/her professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.
23. Work shall be done during low flow.
24. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
25. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
26. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a

minimum of 20 feet of undisturbed vegetated buffer.

27. Within three days of final grading, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

28. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.

29. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.

30. Silt fencing must be removed once the area is stabilized.

31. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).

32. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired immediately.

33. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.

34. All refueling of equipment shall occur outside of surface waters or wetlands.

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(d), alteration of nontidal wetlands in excess of 20,000 square feet in the aggregate.
2. This is a partial after-the-fact application to retain impacts documented in Administrative Order WD 06-018 and Administrative Order 06-019 and to impact an additional 32, 863 sq. ft. of wetland.
3. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
4. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
5. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
6. The applicant conducted several meetings with DES and it was determined that their chosen alternative was practicable.
7. DES has not received any comments from the Lempster Conservation Commission.
8. DES has not received any comments in objection to the proposed project.
9. In accordance with RSA 428-A:8, DES finds that the requirements for a public hearing do not apply as the permitted project is not of substantial public interest, and will not have a significant impact on or adversely affect the values of the palustrine wetland.
10. The U.S. Army Corps of Engineers ("ACOE"), the U.S. Environmental Protection Agency ("EPA") had indicated the project is not eligible for the New Hampshire State Programmatic General Permit ("NHSPGP").
11. The applicant provided a response to the ACOE and EPA comments and provided additional off-site compensatory mitigation.

MINOR IMPACT PROJECT

2010-02356 LAKES REGION CONSERVATION TRUST
WOLFEBORO Unnamed Wetland

Requested Action:

Proposal to dredge and fill 8745 sq. ft. of wetlands for upgrades to 1.5 miles of existing recreational trail on a 179 acre conservation property owned by the Lakes Region Conservation Trust.

APPROVE PERMIT:

Dredge and fill 8745 sq. ft. of wetlands for upgrades to 1.5 miles of existing recreational trail on a 179 acre conservation property owned by the Lakes Region Conservation Trust.

With Conditions:

1. All work shall be in accordance with plans and proposed design narratives by Ilex Wetland Consultants dated August 2010, as received by the NH Department of Environmental Services (DES) on August 25, 2010.
2. The applicant shall provide written permission from landowners within 20 ft. of work proposed within the DES Wetlands Bureau's jurisdiction. The written permission shall be submitted to DES, Wetlands File No. 2010-02356 prior to construction.
3. Work shall be done during low flow.
4. All temporary wetlands or stream impacts shall be regraded to original contours and restored in-kind using natural wetland and stream materials and plantings.
5. A post-construction report documenting the status project area with photographs shall be submitted to the Wetlands Bureau within 60 days of the completion of construction and after one full growing season.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
8. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
9. Within three days of final grading, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
10. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
11. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
12. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
13. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired immediately.
14. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
15. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
16. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require further permitting and approval by the Bureau.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(h) Projects involving less than 20,000 square feet of alteration in the aggregate in nontidal wetlands, nontidal surface waters, or banks adjacent to nontidal surface waters which exceed the criteria of Env-Wt 303.04(f).
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The project is within an approximately 40 year old trail system.
6. The work will upgrade and stabilize existing crossings and provide for 4-season access.

MINIMUM IMPACT PROJECT

2009-01672 NH DEPT OF TRANSPORTATION
MANCHESTER Unnamed Stream

Requested Action:

Confirm Emergency Authorization issued on August 5, 2009, to replace an existing 24-inch x 50 foot culvert in kind with the same length and inverts.

CONFIRM EMERGENCY AUTHORIZATION:

Replace an existing 24-inch x 50 foot culvert in kind with the same length and inverts.

With Findings:

1. This project is classified as a minimum impact project per Rule Env-Wt 303.04(x).
2. The project was necessary as the culvert under the roadway had failed to keep an existing public roadway open.
3. Emergency authorization for this work was issued by DES Wetlands Bureau Staff on {DATE}.
4. Review of the application submitted pursuant the emergency authorization indicates that work has been completed in accordance with the emergency authorization.

2009-02605 OTASH, JAMES
HAMPTON

Requested Action:

Retain 25-linear feet of a previously existing 4-inch by 6-inch wooden retaining wall that had been rebuilt in-kind and a crushed stone pathway to the single-family residential dwelling in the previously developed 100-foot tidal buffer zone.

Conservation Commission/Staff Comments:

'The [Hampton] Conservation Commission does not oppose the granting of the wetlands permit for the retaining wall (as built)' with conditions.

Inspection Date: 11/15/2010 by Eben M Lewis

APPROVE AFTER THE FACT:

Retain 25-linear feet of a previously existing 4-inch by 6-inch wooden retaining wall that had been rebuilt in-kind and a crushed stone pathway to the single-family residential dwelling in the previously developed 100-foot tidal buffer zone.

With Conditions:

1. All work shall be in accordance with plans by West Environmental, Inc. as received by the NH Department of Environmental Services (DES) on October 19, 2010.
2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
3. DES Southeast region staff shall be notified in writing prior to commencement of work and upon its completion.
4. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B.
5. This approval is contingent upon the removal of all crushed stone on the property except for the crushed stone used for the pathway.
6. DES shall receive written and photographic documentation that all stone has been removed from the property within 60-days from this approval.

With Findings:

1. On November 2, 2009, DES received a written complaint alleging violations on the property of 31 Glade Path, Hampton, more particularly described as Hampton Tax Map 273 Lot 24 (the "Property").
2. On November 10, 2009, DES sent a letter of alleged violation ("AV Letter") to the owner of the Property, James Otash. The AV Letter served as a notification to Mr. Otash of fill placed in DES jurisdiction without a permit. The AV Letter requested a response

to the AV Letter within 20-days of the AV Letter.

3. On November 30, 2009, DES received a letter from Mr. Otash dated November 24, 2010 acknowledging receipt of the AV Letter and stated he 'may have needed a permit to spread crushed stone.'

4. On April 7, 2010, DES personnel conducted an inspection of the property and, in summary, documented the following deficiencies: crushed stone had been placed on the property and a retaining wall had been constructed in DES jurisdiction.

5. On April 13, 2010, DES sent Letter of Deficiency WET 10-022 (the "LoD") to Mr. Otash requested that he either submit an application to retain the aforementioned deficiencies or submit a restoration plan to remove the aforementioned deficiencies. The LoD requested that either of these actions be completed by June 18, 2010.

6. On June 17, 2010, DES received a Standard Dredge and Fill Application (the "Application") from West Environmental, Inc. ("WEI") requesting to retain the deficiencies identified in the LoD.

7. On June 25, 2010, DES sent a 'Notice of Administrative Completeness' to Mr. Otash acknowledging receipt of the Application.

8. On July 2, 2010, DES received a letter from the Hampton Conservation Commission writing in favor of 'granting a wetlands permit for the retaining wall (as built) as long as the following conditions are met: 1. removal of the crushed stone; 2. grading adjacent to the retaining wall; and, 3. planting native plant species on the property.

9. On September 8, 2010, DES sent a 'Request for More Information' ("RFMI") to Mr. Otash's agent, WEI, requesting clarification of the requested impacts and aspects of the application.

10. On October 17, 2010, DES received information from WEI satisfying the requests of the RFMI.

11. On November 15, 2010, DES personnel inspected the Property to confirm the location of the highest observable tide line ("HOTL") and whether or not any new impacts had occurred within DES jurisdiction. Inspection found that the HOTL is accurately depicted on the plan supplied on October 19, 2010 and no new impacts were observed.

12. This is a minimum impact project per Administrative Rule Env-Wt 303.04(c) Repair or replacement of existing retaining walls that is performed "in the dry" during drawdown of waters, and that results in no change in height, length, location, or configuration..

13. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 14. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.

15. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

16. A memo from the NH Natural Heritage Bureau ("NHB") dated 6/11/2010 identified several natural communities and several vertebrate species in the vicinity of the project.

17. An email dated August 11, 2010 from NH Fish and Game Nongame and Endangered Wildlife Program states that 'as the crushed stone will be removed and no new disturbance will occur in the saltmarsh, we [NHFG] do not expect impacts' to the natural communities or species identified in the aforementioned NHB memo.

2010-01615 DAVIS, ROBERT/BEATRICE
JACKSON Unnamed Wetland

Requested Action:

Dredge and fill 1,865 square feet of wetlands and associated intermittent stream for the replacement of an existing culvert and the widening of Grover Road.

APPROVE PERMIT:

Dredge and fill 1,865 square feet of wetlands and associated intermittent stream for the replacement of an existing culvert and the widening of Grover Road.

With Conditions:

1. All work shall be in accordance with plans received by Ammonoosuc Survey Company, Inc dated June 03, 2010 as received by DES on June 18, 2010.
2. Work shall be done during periods of non-flow.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. The culverts shall be laid at original grade.

5. Proper headwalls shall be constructed within seven days of culvert installation.
6. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
7. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
8. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
9. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
10. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
11. This permit is contingent on approval by the DES Subsurface Systems Bureau.
12. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.

With Findings:

1. This is a minimum impact project per Env-Wt 303.04 (n) Projects that alter the course of or disturb less than 50 linear feet, measured along the thread of the channel, of an intermittent nontidal stream channel or its banks provided construction is performed during periods of non-flow.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. The proposed culvert was designed to freely pass the 50-year storm event.
6. The applicant submitted written permission from the abutters within 20 feet of the work in jurisdiction.
7. No comments were submitted from the NHFG Nongame and Endangered Wildlife Program or the Natural Heritage Bureau.

2010-01913 MARTEL, ROBERT
CANDIA Unnamed Stream

Requested Action:

Retain 700 square feet of impact within the bed and banks of an intermittent stream for the construction of a driveway and installation of a 36-inch HDPE culvert for access to a single-family residential dwelling on approximately 76.29 acres.

Conservation Commission/Staff Comments:

No Comments were received from the Candia Conservation Commission

Inspection Date: 11/17/2010 by Eben M Lewis

APPROVE AFTER THE FACT:

Retain 700 square feet of impact within the bed and banks of an intermittent stream for the construction of a driveway and installation of a 36-inch HDPE culvert for access to a single-family residential dwelling on approximately 76.29 acres.

With Conditions:

1. All work shall be in accordance with the Wetland Impact Plan received by the NH Department of Environmental Services (DES) on July 19, 2010.
2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(z) Installation of a culvert or bridge and associated fill to permit vehicular access to a piece of property for a single family building lot or for noncommercial recreational uses.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. A memo dated 7/9/2010 from the NH Natural Heritage Bureau ("NHB") identified two (2) vertebrate species within the vicinity of the project: Blanding's Turtle (*Emydoidea blandingii*) and Spotted Turtle (*Clemmys guttata*).
6. In an email dated October 12, 2010 from NH Fish and Game Endangered Species Program states, "we do not expect impacts to the Blanding's and spotted turtle."
7. On November 17, 2010, DES personnel inspected the property to verify the requested impacts and the size and location of the culvert. Field inspection confirmed that the impacts and culvert as depicted on the proposed plans are accurate.

2010-02255 RJL PROPERTIES LLC
MANCHESTER Unnamed Wetland

Requested Action:

Dredge and fill 439 square feet of wetlands for commercial lot development.

APPROVE PERMIT:

Dredge and fill 439 square feet of wetlands for commercial lot development.

With Conditions:

1. All work shall be in accordance with plans by Rokeh Consulting, LLC entitled Proposed Drainage Grading and Utility Plan for Lachance Plumbing (Sheets 3 and 10 of 10) dated July 20, 2010 as received by the Department on August 19, 2010.
2. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
3. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
5. This permit is contingent on approval by the DES Subsurface Systems Bureau.
6. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
7. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
8. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.

With Findings:

1. This is a minimum impact project per Env-Wt 303.04 (f) Projects involving alteration of less than 3,000 square feet in swamps or wet meadows that are not in prime wetlands or do not meet the requirements of Env-Wt 303.02(k), provided that no previous department permit has placed restrictions on the property of the applicant.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. No comments were submitted from the NHFG Nongame and Endangered Wildlife Program or the Natural Heritage Bureau.

2010-02353 J & S GREYSYONE VILLAGE
NORTH HAMPTON Unnamed Wetland

Requested Action:

Dredge and fill 2,229 sq. ft. of previously impacted palustrine wetlands to construct a roadway with a culvert crossing to provide emergency vehicle access between the subject property and an abutting mobile home park.

Conservation Commission/Staff Comments:

No report or comments were received from the North Hampton Conservation Commission on this application.

APPROVE PERMIT:

Dredge and fill 2,229 sq. ft. of previously impacted palustrine wetlands to construct a roadway with a culvert crossing to provide emergency vehicle access between the subject property and an abutting mobile home park.

With Conditions:

1. All work shall be in accordance with plans by Ambit Engineering, Inc. dated November 2009 (last revised 8/5/10), as received by the NH Department of Environmental Services (DES) on August 23, 2010.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and/or further permitting by the Bureau.
3. Culvert outlets shall be protected in accordance with the DES Best Management Practices for Urban Stormwater Runoff Manual (January 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August 1992).
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f), projects involving alteration of less than 3,000 square feet.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2010-02357 DERRY, TOWN OF
DERRY Drew Brook & Prime Wetland

Requested Action:

Impact 819 sq. ft. within the embankment and flow channel of a perennial stream for work associated with the replacement of the deteriorated corrugated metal pipe arch with a 3-sided rigid frame bridge to carry Drew Road over Drew Brook.

Conservation Commission/Staff Comments:

The Derry Conservation Commission has "no objections" to the issuance of this permit.

APPROVE PERMIT:

Impact 819 sq. ft. within the embankment and flow channel of a perennial stream for work associated with the replacement of the deteriorated corrugated metal pipe arch with a 3-sided rigid frame bridge to carry Drew Road over Drew Brook.

With Conditions:

1. All work shall be in accordance with plans by Hoyle, Tanner & Associates, Inc. dated August, 2010, as received by the NH Department of Environmental Services (DES) on August 25, 2010.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. DES Wetland Bureau Southeast Region staff shall be notified in writing prior to commencement of work and upon its completion.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Work shall be done during low flow.
6. Unconfined work within the river, exclusive of work associated with installation of a cofferdam, shall be done during periods of low flow.
7. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed without restriction.
8. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
9. Temporary cofferdams shall be entirely removed immediately following construction.
10. Proper headwalls shall be constructed within seven days of culvert installation.
11. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands.
12. Faulty equipment shall be repaired prior to entering jurisdictional areas.
13. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
14. All refueling of equipment shall occur outside of surface waters or wetlands.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(o), Projects deemed minimum impact by the Department.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. A prime wetlands public hearing was waived for this project per RSA 482-A:8.
6. This municipal roadway bridge maintenance project is in the interest of public health and safety.

2010-02439

UNH, JACKSON ESTUARINE LAB

HAMPTON Huckleberry Lane Salt Marsh

Requested Action:

Allow access of low ground pressure machinery on to the Little River salt marsh off Huckleberry Lane for the purpose of mechanically harvesting, by cutting only (no dredging) 8 acres of the invasive species *Phragmites australis* (tall reed) as part of a management/restoration program for this tidal wetland.

Conservation Commission/Staff Comments:

"The [Hampton] Conservation Commission does not oppose the granting of the wetlands permit for the vegetation management plan."

APPROVE PERMIT:

Allow access of low ground pressure machinery on to the Little River salt marsh off Huckleberry Lane for the purpose of mechanically harvesting, by cutting only (no dredging) 8 acres of the invasive species *Phragmites australis* (tall reed) as part of a management/restoration program for this tidal wetland.

With Conditions:

1. All work shall be in accordance with plans by Gregg E. Moore, Ph.D., UNH Dept of Biological Sciences, Jackson Estuarine Laboratory dated 6/7/2010, as received by the NH Department of Environmental Services (DES) on October 05, 2010.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and/or further permitting by the Bureau.
3. DES Wetlands Bureau Southeast Region staff and the Hampton Conservation Commission shall be notified in writing prior to commencement of work and upon its completion.
4. This permit does not allow dredging for any purpose.
5. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands.
6. Faulty equipment shall be repaired prior to entering jurisdictional areas.
7. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
8. All refueling of equipment shall occur outside of surface waters or wetlands.
9. Work on the salt marsh shall occur during the months of August through the following April. No work on the marsh shall occur after April 30 unless a waiver of this condition is requested by the applicant and approved by the DES Wetlands Bureau.
10. Construction equipment shall have specialized low ground pressure tracks, which impact less than four (4) pounds per square inch when loaded, or the permittee shall utilize timber or plywood mats beneath machines when driving over wetland areas.
11. Timber or plywood mats shall be utilized in all areas of the marsh where construction equipment is required to travel or turn multiple times over the same area.
12. All weight distribution mats shall be removed from the marsh within a minimum practicable time period.
13. Pre- and post-restoration monitoring shall be completed through the protocols set forth by the "Global Program of Action Coalition for the Gulf of Maine" (GPAC) and the "Monitoring Requirements for Salt Marsh Restoration Projects," NH Coastal Program, September 1998.
14. The permittee shall submit monitoring reports to the DES Wetlands Bureau according to the specifications stated in the above-listed protocols.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(t), Restoration of altered or degraded wetlands.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

FORESTRY NOTIFICATION

2010-02979 REED, FRANK
CLAREMONT Unnamed Stream

COMPLETE NOTIFICATION:
Claremont Tax Map 14, Lot# 3

2010-03026 ABREAU, SHARON
WASHINGTON Unnamed Stream

COMPLETE NOTIFICATION:

Washington Tax Map 15, Lot# 46

2010-03036 KANEB, STEPHEN
EPPING Unnamed Stream

COMPLETE NOTIFICATION:
Epping Tax Map 30, Lot# 50 & 51

2010-03063 BERRY, ANN
CANTERBURY Unnamed Stream

COMPLETE NOTIFICATION:
Canterbury Tax Map 221, Lot# 13

2010-03065 ROBERTS, BRIAN/ELIZABETH
EFFINGHAM Unnamed Stream

COMPLETE NOTIFICATION:
Effingham Tax Map 110, Lot# 56

2010-03066 NH DRED
HAVERHILL Unnamed Stream

COMPLETE NOTIFICATION:
Haverhill Tax Map 412, Lot# 5

2010-03067 BOYAJIAN, ZACK
CHICHESTER Unnamed Stream

COMPLETE NOTIFICATION:
Chichester Tax Map 5, Lot# 54

2010-03068 PROPERTY OF REALTIES INC, DOROTHY ARWE
KEENE Unnamed Stream

COMPLETE NOTIFICATION:
Keene Tax Map 912, Lot# 15

2010-03069 MAPLEVIEW DEVELOPMENT
BRADFORD Unnamed Stream

Conservation Commission/Staff Comments:
11/09/10 - Per the Town of Bradford there is no development slated for this property. It was converted back to single lot, development provisions were denied

COMPLETE NOTIFICATION:

Bradford Tax Map 3, Lot# 96

2010-03072 MARTIN, MICHAEL
HOPKINTON Unnamed Stream

COMPLETE NOTIFICATION:
Hopkinton Tax Map 240, Lot# 4

2010-03073 YMCA CAMP CONISTON
CROYDON Unnamed Stream

COMPLETE NOTIFICATION:
Croydon Tax Map 8, Lot# 585

2010-03075 DUBISZ, FRANK
EFFINGHAM Unnamed Stream

COMPLETE NOTIFICATION:
Effingham Tax Map 413, Lot# 219

2010-03076 THOMPSON, BILL
BRADFORD Unnamed Stream

COMPLETE NOTIFICATION:
Bradford Tax Map 12, Lot# 7

2010-03077 WIGGIN, GARY
TAMWORTH Unnamed Stream

COMPLETE NOTIFICATION:
Tamworth Tax Map 215, Lot# 10

2010-03079 WILSON JONES, ALDRED & SARAH
SALISBURY Unnamed Stream

COMPLETE NOTIFICATION:
Salisbury Tax Map 231, Lot# 1

2010-03083 BOISSONEAU, RAYMOND
BEDFORD Unnamed Stream

COMPLETE NOTIFICATION:
Bedford Tax Map 21, Lot# 46

2010-03084 PARKE, ISOBEL
EPPING Unnamed Stream

COMPLETE NOTIFICATION:
Epping Tax Map 13, Lot# 19 & 20-1

2010-03086 HILL GRANT LIVING TRUST, RICHARD HILL
BARTLETT Unnamed Stream

COMPLETE NOTIFICATION:
Bartlett Tax Map 4TMBER, Lot# 00

2010-03090 HARRIS, VIRGINIA
EATON Unnamed Stream

COMPLETE NOTIFICATION:
Eaton Tax Map R11, Lot# 4

2010-03091 NOBARI, NEDA
MERIDEN Unnamed Stream

COMPLETE NOTIFICATION:
Meriden Tax Map 250, Lot# 3 & 9

2010-03093 MERKES, PETER
LOUDON Unnamed Stream

COMPLETE NOTIFICATION:
Loudon Tax Map 23, Lot# 27

2010-03094 DANIEL WEBSTER COUNCIL
GILMANTON Unnamed Stream

COMPLETE NOTIFICATION:
Gilmanton Tax Map 406, Lot# 48 Boy Scouts of America

2010-03095 DANIEL WEBSTER COUNCIL
ALTON Unnamed Stream

COMPLETE NOTIFICATION:
Alton Tax Map 13, Lot# 1 Boy Scouts of America

2010-03096 KUCHRAWY, DAVID
PLYMOUTH Unnamed Stream

COMPLETE NOTIFICATION:

Plymouth Tax Map 244, Lot# 2

**2010-03112 SWAIN, MATTHEW/RACHEL
SANBORTON Unnamed Stream**

COMPLETE NOTIFICATION:

Sanbornton Tax Map 516, Lot# 39, 54, 354

EXPEDITED MINIMUM

**2010-02212 SPIEWAK, PETER
PEMBROKE Unnamed Stream**

Requested Action:

Proposal to dredge and fill 648 sq. ft. of intermittent stream for the installation of a 24 in. x 28 ft. HDPEP culvert for construction of a driveway to 1-lot of a 2-lot subdivision.

Conservation Commission/Staff Comments:

1. The Conservation Commission signed the application.

APPROVE PERMIT:

Dredge and fill 434 sq. ft. of intermittent stream for the installation of an embedded 48 in. x 27 ft. HDPEP culvert for construction of a driveway to 1-lot of a 2-lot subdivision.

With Conditions:

1. All work shall be in accordance with plans by Keach-Nordstrom Associates, Inc., revision date of October 13, 2010, as received by the NH Department of Environmental Services (DES) on October 18, 2010.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
4. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #3 of this approval.
5. Work shall be done during non-flow.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
8. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
9. Within three days of final grading, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
10. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
11. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
12. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).

13. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired prior immediately.
14. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(n) Any project not otherwise specified in this section that alters the course of or disturbs less than 50 linear feet, measured along the thread of the channel, of an intermittent nontidal stream channel or its banks provided construction is performed during periods of non-flow.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2010-02237 LALLY TTEE, THOMAS
GOFFSTOWN Unnamed Stream

Requested Action:

Dredge and fill 350 sq. ft. of wetlands for construction of a common driveway for two lots of a proposed 3-lot residential subdivision. Work in jurisdiction includes installation of a proposed 24 in. x 30 ft. corrugated plastic culvert with associated, grading, filling headwalls and outlet protection.

Conservation Commission/Staff Comments:

1. The Conservation Commission signed the application.

APPROVE PERMIT:

Dredge and fill 350 sq. ft. of wetlands for construction of a common driveway for two lots of a proposed 3-lot residential subdivision. Work in jurisdiction includes installation of a proposed 24 in. x 30 ft. corrugated plastic culvert with associated, grading, filling headwalls and outlet protection.

With Conditions:

1. All work shall be in accordance with plan sheet 1 of 1 revision date of October 13, 2010 and plan sheet 1 of 6 dated July 3, 2008 by Todd Land Use Consultants, LLC, as received by the NH October 15, 2010.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
4. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #3 of this approval.
5. Work shall be done during non-flow.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
8. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
9. Within three days of final grading, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
10. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.

11. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
12. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
13. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired prior immediately.
14. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(n) Any project not otherwise specified in this section that alters the course of or disturbs less than 50 linear feet, measured along the thread of the channel, of an intermittent nontidal stream channel or its banks provided construction is performed during periods of non-flow.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. The applicant/agent has indicated the previous permit/project (Wetlands Bureau File #2008-00927) is to be "abrogated".

2010-02832

LIBBY, DEBORAH/TYLER

WASHINGTON Millen Lake

Requested Action:

Applicant requests to repair 42 linear feet of wall supporting a primary structure on Millen Lake, Washington.

DENY PERMIT:

Deny applicant's requests to repair 42 linear feet of wall supporting a primary structure on Millen Lake, Washington.

With Findings:

Standards for Approval

1. In accordance with RSA 482-A:3, Excavating and Dredging Permits, "[n]o person shall excavate, remove, fill, dredge or construct any structures in or on any bank, flat, marsh, or swamp, or in an adjacent to any waters of the state without a permit from the department."
2. This project is classified as a major impact per Rule Env-Wt 303.02(e), modification of retaining wall located lakeward of the normal high-water line.
3. In accordance with RSA 482-A:26, Dwellings Over Water, II. "No person shall convert or modify any existing structure in order to make the structure suitable as a dwelling if the structure or any part of the structure extends beyond the shoreline of any public water or publicly-owned water body."
4. Pursuant to RSA 482-A:26, IV. "Dwelling over water" means any structure suitable for use as a dwelling which extends in any part beyond the shoreline of any public water or public-owned water body, "Shoreline" means that shoreline which exists when the surface of the water is at the mean high water level, and "Suitable for use as a dwelling" means any structure which is used for residential purposes by one or more persons, or which contains kitchen, bathroom, shower, or toilet facilities.

Findings of Fact

1. On October 18, 2010, the Wetlands Bureau received an application for impacts to the bank and bed of Millen Lake on property identified as lot 78 on Washington tax map 15, to repair 42 linear feet of wall supporting a primary structure.
2. Review of DES Wetlands File 2000-2277 found that on November 3, 2000 a Wetlands Permit (the "Permit") was issued to the current owner to "Replace an existing 42' 4" x 2' high concrete retaining wall and support posts that support an existing cottage on

approximately 200 linear feet of frontage."

3. Plans and photographs submitted with Wetlands file 2000-2277 show that portions of the residential structure extend lakeward of the normal high water line and thus the structure is subject to RSA 482-A:26.
4. Condition # 1 of the Permit states "All work shall be in accordance with plans by Tyler Libby as received by the Department on November 20, 2000 except that steel pipes shall be used to support the existing cottage rather than an additional 10" wide concrete wall."
5. Condition #2 of the Permit 2000-2277 states "Replacement shall maintain existing size, location and configuration."
6. The photographs submitted with file 2000-2277 clearly show an open, unfinished crawl-space underneath the primary structure.
7. The application materials submitted in support of the application on October 18, 2010, include plans and photographs indicate that the original first floor elevation of the primary structure has been raised to allow for additional enclosed living space area under the primary structure and that the retaining wall now serves as part of the foundation of the structure. The Town of Washington's tax card for the property now lists the structure as having a finished basement.
8. Plans and photographs submitted to the current Wetlands file show that the portions of the residential structure extending lakeward of the normal high water line remain. The expansion of the structure, which extended in part over the water, to construct a finished basement would be prohibited by RSA 482-A:26.

Rulings in Support of Denial

1. The Applicant has requested to repair the foundation of a jurisdictional structure that is not in compliance with RSA 482-A, in that the structure was expanded without the approval of the Department and contrary to the restrictions on dwellings over water established in RSA 482-A:26. The request to repair a non-compliant structure is denied.

2010-02839 CAMPBELL, WARREN **ALSTEAD Unnamed Wetland**

Requested Action:

Dredge and fill \pm 2,856 sq. ft. of mowed wet meadow for pond construction.

APPROVE PERMIT:

Dredge and fill \pm 2,856 sq. ft. of mowed wet meadow for pond construction.

With Conditions:

1. All work shall be in accordance with plans by Beaver Tracks, LLC dated October 05, 2010, as received by the Department on October 18, 2010.
2. All work shall be done during low flow conditions.
3. Appropriate erosion and siltation controls shall be installed prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Machinery shall be staged and refueled in upland areas.
5. Dredged spoils shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of twenty (20) feet of undisturbed vegetated buffer.
7. Within three calendar days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(p), Construction of a pond with less than 20,000 sq. ft. of wetlands impact.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas

and environments under the department's jurisdiction per Env-Wt 302.03.

4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2010-02849 FISHMAN, K HEIDI
BELMONT Lake Winnisquam

Requested Action:

Repair 32 ft 3 inches of stone and mortar retaining wall in-kind on 310 ft of frontage on Lake Winnisquam.

APPROVE PERMIT:

Repair 32 ft 3 inches of stone and mortar retaining wall in-kind on 310 ft of frontage on Lake Winnisquam.

With Conditions:

1. All work shall be in accordance with plans by Heidi Fishman as received by the NH Department of Environmental Services (DES) on October 18, 2010.
2. The repairs shall maintain the size, location, and configuration of the pre-existing structure.
3. Only rocks which have fallen from the pre-existing wall shall be used for repair. No additional rock shall be brought on site.
4. All construction related debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
5. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
6. Work shall be done in the dry.
7. This permit to replace or repair existing structures shall not preclude the DES from taking any enforcement action or revocation action if the DES later determines that the structures represented as "existing" were not previously permitted or grandfathered.
8. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(c), repair of retaining walls in the dry.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2010-02888 HAAS, THOMAS
DURHAM Great Bay

Requested Action:

Impact approximately 400 sq. ft. (20 ft x 20 ft.) of developed upland tidal buffer zone to remove an existing fractured concrete wall and stone wall, stabilize bank, and install a precast concrete block wall within the same general footprint, and replace 28 linear foot section of septic pipe.

APPROVE PERMIT:

Impact approximately 400 sq. ft. (20 ft x 20 ft.) of developed upland tidal buffer zone to remove an existing fractured concrete wall and stone wall, stabilize bank, and install a precast concrete block wall within the same general footprint, and replace 28 linear foot section of septic pipe.

With Conditions:

1. All work shall be in accordance with plans by Larry Labrie and Valerie Shelton dated 8/27/2010, as received by the NH Department of Environmental Services (DES) on 10/20/2010.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.
5. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(b), projects in previously developed uplands within 100 feet of the highest observable tide line that are not classified as minor or major.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project. The NH Natural Heritage Bureau reported that no impacts are expected to listed species in the greater project vicinity as a result of the project.
5. The Durham Conservation Commission signed the expedited application.

**2010-02935 MORGAN, ULTIMA
BELMONT Lake Winnisquam**

Requested Action:

Repair 32 ft 3 in of stone and mortar retaining wall in-kind on 310 ft of frontage on Lake Winnisquam.

APPROVE PERMIT:

Repair 32 ft 3 in of stone and mortar retaining wall in-kind on 310 ft of frontage on Lake Winnisquam.

With Conditions:

1. All work shall be in accordance with plans by Heidi Fishman received by the NH Department of Environmental Services (DES) on October 18, 2010.
2. Rocks which have fallen from the pre-existing wall shall be used for repair. No additional rocks shall be brought on site.
3. The repairs shall maintain the size, location, and configuration of the pre-existing structures.
4. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.
7. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
8. Work shall be done during low water conditions.
9. All construction related debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
10. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within

the Protected Shoreland.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04 (c), repair of existing retaining wall in the dry.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

TRAILS NOTIFICATION

2010-01844 BEAR HILL CONSERVANCY TRUST, BILL WANNER
LYME Unnamed Stream

COMPLETE NOTIFICATION:
Lyme Tax Map/Lot# 412/3

2010-01846 BEAR HILL CONSERVANCY TRUST, BILL WANNER
HANOVER Unnamed Stream

COMPLETE NOTIFICATION:
Hanover Tax Map/Lot# 17/22

2010-03034 SQUAM LAKES ASSOCIATION
HOLDERNESS Unnamed Stream

Conservation Commission/Staff Comments:

11/18/10 - Per John Cooley, Wildlife Biologist, the loons haven't nested in the area for awhile, probalbly due to boat activity. He feels the bridge construction would not affect the loons. The construction should not take place in the month of June.

COMPLETE NOTIFICATION:
Holderness Tax Map 241, Lot# 40 Squam Lake Conservation Society

2010-03071 NH DRED - TRAILS BUREAU
NOTTINGHAM Fundy Cove / Back Creek

COMPLETE NOTIFICATION:
Nottinham Tax Map 76, Lot# Pawtuckawy State Park

2010-03110 SINGER BROOK LLC
MILFORD Unnamed Stream

COMPLETE NOTIFICATION:
Milford Tax Map 8, Lot# 3

LAKES-SEASONAL DOCK NOTIF

2010-03163 BLADECKI, VERNIE
LACONIA Winnisquam

COMPLETE NOTIFICATION:
Laconia Tax Map 422, Lot# 1 Lake Winnisquam

ROADWAY MAINTENANCE NOTIF

2010-03122 NH DEPT OF TRANSPORTATION
FARMINGTON Unnamed Stream

2010-03152 NH DEPT OF TRANSPORTATION
SUTTON Unnamed Stream Unnamed Wetland

2010-03153 BUCCELLATO, PATRICK
MERIDEN Unnamed Wetland

2010-03154 ALTON HIGHWAY DEPT, TOWN OF
ALTON Unnamed Wetland

PERMIT BY NOTIFICATION

2010-02985 TRUSTEES OF KIMBALL UNION ACADEMY
MERIDEN Unnamed Wetland

Requested Action:

Propose to dredge and fill 155 square feet of wetlands for the extension of an existing culvert.

PBN DISQUALIFIED:

Disqualify proposal to dredge and fill 155 square feet of wetlands for the extension of an existing culvert.

With Findings:

1. Env-Wt 506.01 Projects Qualifying for Permit by Notification.

- (1) The construction or modification of a seasonal pier or wharf, located on a stream or river, that meets the criteria in Env-Wt 303.04(a);
- (2) The repair or replacement of an existing retaining wall that meets the criteria in Env-Wt 303.04(c);
- (3) Maintenance dredging that meets the criteria in Env-Wt 303.04(k);
- (4) The construction of a temporary cofferdam and other water control devices that meets the criteria in Env-Wt 303.04(l);
- (5) The repair of an existing docking structure that meets the criteria in Env-Wt 303.04(v);
- (6) The excavation of less than 10 linear feet within the bank and bed of a surface water that does not exceed 200 square feet in total jurisdictional impact to the bed, that meets the criteria in Env-Wt 303.04(w);
- (7) The maintenance, repair, or replacement of a nondocking structure that meets the criteria in Env-Wt 303.04(x);
- (8) The installation of a culvert or bridge and associated fill to permit vehicular access to a piece of property for a single family building lot or for noncommercial, recreational uses that meets the criteria in Env-Wt 303.04(z);
- (9) The replenishment of an existing beach that meets the criteria in Env-Wt 303.04(aa);
- (10) The construction of an anchoring pad for a seasonal dock that meets the criteria in Env-Wt-303.04(ab);
- (11) The installation of a seasonal boatlift that meets the criteria of Env-Wt 303.04(ac);
- (12) The installation of a personal watercraft lift that meets that criteria of Env-Wt 303.04(ad);
- (13) The installation of a residential utility line that meets the criteria of Env-Wt 303.04(ae);
- (14) Temporary impacts associated with the inspection, maintenance and repair of existing utility lines within an existing utility right-of-way that meet the criteria of Env-Wt 303.04(af).

2. The proposal does not meet the requirements Administrative Rule 303.04(x) Maintenance, repair, or replacement of a nondocking structure such as a culvert, headwall, bridge, dam, residential utility line, or rip-rap slope of less than 50 linear feet, provided: (1) No change in location, configuration, construction type, or dimensions is proposed; and (2) The applicant certifies in writing that the structure, in its current location, configuration, construction type and dimensions: i. Was previously permitted by the department and has not been abandoned; or ii. Would be considered grandfathered under Env-Wt 101.43 and has not been abandoned;

3. The department recognizes the need for the project, however, the proposed activities do not qualify for the Permit By Notification process.

CSPA PERMIT

**2010-01172 WAITE, KENNETH & SALLY
TUFTONBORO Dan Hole Pond**

Requested Action:

Impact 3,124 sq ft for the purpose of constructing a new residential dwelling and installing a new septic system.

Conservation Commission/Staff Comments:

Inspection Date: 06/07/2010 by Jeffrey D Blecharczyk

APPROVE PERMIT:

Impact 3,124 sq ft for the purpose of constructing a new residential dwelling and installing a new septic system.

With Conditions:

1. All work shall be in accordance with revised plans submitted by Bryan D. Berlind dated October 20, 2010 and received by the Department of Environmental Services ("DES") on October 22, 2010.
2. No more than 17.5% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. This permit is contingent upon receiving all necessary approvals from the DES Subsurface Systems Bureau.
4. Upon completion of the proposed project, all vegetation within the waterfront buffer, including natural ground cover, shall be allowed to revert to a natural condition except that necessary for a 6 foot wide pathway to access the public waterbody.
5. All fill shall be removed from the waterfront buffer and returned to original grade.
6. The proposed walkway shall be designed in a fashion that does not concentrate and discharge stormwater to public waters.
7. All impacts within wetlands, surface waters and their banks shall require a Wetland Permit under RSA 482-A.
8. The project as proposed will leave approximately 3,938 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 2,466 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
9. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
10. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
11. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
12. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
13. Any fill used shall be clean sand, gravel, rock, or other suitable material.
14. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
15. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
16. Silt fencing must be removed once the area is stabilized.
17. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2010-02405 LEMIEUX, PHILIP
MADISON Silver Lake

Requested Action:

Impact 6,920 sq ft in order to construct a house, septic system, and driveway.

APPROVE PERMIT:

Impact 6,920 sq ft in order to construct a house, septic system, and driveway.

With Conditions:

1. All work shall be in accordance with plans by H. E. Bergeron Engineers, Inc. dated November 15, 2010 and received by the NH

Department of Environmental Services (DES) on November 16, 2010.

2. This approval is contingent upon execution of a restoration plan to correct violations of RSA 483-B and, therefore, shall not be effective until it has been recorded at the Carroll County Registry of Deeds and a copy of the recorded waiver is sent to the department by certified mail, return receipt requested.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. No more than 10.7% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
5. The Owner of the property shall complete the restoration of native vegetation throughout 1,600 sq ft of the Natural Woodland Buffer as specified and described on plans by HE Bergeron Engineers revised November 15, 2010 and received by the department on November 16, 2010, by June 30, 2011.
6. The Owner shall submit a report to Shoreland Compliance File # 2010-2441 documenting the completion of the restoration plans and success rate of the plantings by September 15, 2011.
7. The Owner shall be responsible for the replacement of plantings which fail to survive with alternative native species until the revegetation of the required area is successful.
8. At least 8,833 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
9. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
10. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
11. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
12. Any fill used shall be clean sand, gravel, rock, or other suitable material.

2010-02406 CANAVARI, RUSSELL & BRENDA
MADISON Silver Lake

Requested Action:

Impact 7,315 sq ft in order to construct a four bedroom house, septic system, and driveway.

APPROVE PERMIT:

Impact 7,315 sq ft in order to construct a four bedroom house, septic system, and driveway.

With Conditions:

1. All work shall be in accordance with plans by H.E. Bergeron Engineers, Inc. dated November 15, 2010 and received by the NH Department of Environmental Services (DES) on November 16, 2010.
2. This approval is contingent upon execution of a restoration plan to correct violations of RSA 483-B and, therefore, shall not be effective until it has been recorded at the Carroll County Registry of Deeds and a copy of the recorded waiver is sent to the department by certified mail, return receipt requested.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. No more than 10.9% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
5. The Owner of the property shall complete the restoration of native vegetation throughout 1,000 sq ft of the Natural Woodland Buffer as specied and described on plans by HE Bergeron Engineers revised November 15, 2010 and received by the Department on November 16, 2010, by June 30, 2011.
6. The Owner shall submit a report to Shoreland Compliance File # 2010-2442 documenting the completion of the restoration plans and success rate of the plantings by September 15, 2011.
7. The Owner shall be responsible for the replacement of plantings which fail to survive with alternative native species until the revegetation of the required area is successful.
8. At least 7,635 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
9. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the

site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.

10. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.

11. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.

12. Any fill used shall be clean sand, gravel, rock, or other suitable material.

2010-02428 RAYMOND, KENNETH
ANTRIM Great Brook

Requested Action:

Impact 3,364 sq ft for the purpose of regrading and constructing a new parking area.

APPROVE PERMIT:

Impact 3,364 sq ft for the purpose of regrading and constructing a new parking area.

With Conditions:

1. All work shall be in accordance with plans submitted by Kenneth Raymond and received by the Department of Environmental Services ("DES") on September 14, 2010.
2. There shall be no increases in impervious area footprints beyond that existing prior to the demolished structure.
3. No impacts to natural ground cover or native vegetation shall occur within the waterfront buffer.
4. There shall be no impacts to native vegetation or natural ground cover between 50 ft and 150 ft of the reference line in order to remain compliant with RSA 483-B:9, V, (b), (2), (A), (ii).
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.
10. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
11. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
12. Silt fencing must be removed once the area is stabilized.
13. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.
14. All impacts within wetlands, surface waters and their banks shall require a Wetland Permit under RSA 482-A.

2010-02664 MANGERS, SUSAN
MEREDITH Wickwas Lake

Requested Action:

Impact 3,768 sq ft for the purpose of expanding a conforming primary structure and installing stormwater controls.

APPROVE PERMIT:

Impact 3,768 sq ft for the purpose of expanding a conforming primary structure and installing stormwater controls.

With Conditions:

1. All work shall be in accordance with plans by Chris Clymer and received by the Department of Environmental Services ("DES") on September 2, 2010.
2. No more than 24.54% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. This permit is contingent upon receiving all necessary approvals from the DES Subsurface Systems Bureau.
4. The proposed stormwater management plan shall be designed, installed and maintained to effectively intercept and infiltrate stormwater.
5. No impacts to natural ground cover or native vegetation shall occur within the waterfront buffer.
6. All impacts within wetlands, surface waters and their banks shall require a Wetland Permit under RSA 482-A.
7. Upon completion of the proposed project, the submitted planting plan will be implemented to ensure that each previously existing deficient grid segment will have at least the minimum score of RSA 483-B:9, V(a)(2)(D) as required by RSA 483-B:9, V, (g), (3).
8. There shall be no impacts to native vegetation or natural ground cover between 50 ft and 150 ft of the reference line in order to remain compliant with RSA 483-B:9, V, (b), (2), (A), (ii).
9. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
10. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
11. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
12. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
13. Any fill used shall be clean sand, gravel, rock, or other suitable material.
14. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
15. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
16. Silt fencing must be removed once the area is stabilized.

With Findings:

1. The existing non-conforming structure is located within the 50 ft primary building setback to Newfound Lake and, therefore, fails to conform to the setback restriction set forth in RSA 483-B:9, II (b), of the CSPA.

2. The existing non-conforming structure is located on a lot that exceeds 30% impervious surface coverage within the protected shoreland adjacent to Newfound Lake and, therefore, fails to conform to the impervious surface limitation set forth in RSA 483-B:9, V (g)(1), of the CSPA.
3. In accordance with RSA 483-B:11, II, the commissioner shall review proposals which are more nearly conforming than the existing structures, and may waive some of the standards specified in RSA 483-B:9, so long as there is at least the same degree of protection provided to the public waters and the proposal is "more nearly conforming."
3. The applicant has proposed to reduce the area of imperviousness within the waterfront buffer by 220 sq ft.
4. The applicant has proposed to decrease the overall area of imperviousness within the protected shoreland by 130 sq ft.
5. The applicant has proposed to install stormwater controls consisting of infiltration trenches under the drip edge of the roof, a catch basin capable of intercepting stormwater from the driveway and water bars that will divert stormwater to vegetated areas.
6. The applicant has proposed to plant additional levels of native vegetation within the waterfront and natural woodland buffers.
7. The applicant has proposed to install significant stormwater controls, reduce levels of imperviousness and enhance the waterfront and natural woodland buffers, and therefore, meets the requirements for a waiver of RSA 483-B:9 as described in RSA 483-B: 11, I.

2010-02875 SCHWARTZ, NORMAN
TUFTONBORO Mirror Lake

Requested Action:

Impact 300 sq ft for the purpose of installing a new septic system.

APPROVE PERMIT:

Impact 300 sq ft for the purpose of installing a new septic system.

With Conditions:

1. All work shall be in accordance with plans by Peter Cooperdock and received by the Department of Environmental Services ("DES") on October 21, 2010.
2. No more than 20.0% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. This permit is contingent upon receiving all necessary approvals from the DES Subsurface Systems Bureau.
4. No impacts to natural ground cover or native vegetation shall occur within the waterfront buffer.
5. At least 2,866 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
6. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on areas determined to remain in an unaltered state.
7. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
8. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
9. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
10. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
11. Any fill used shall be clean sand, gravel, rock, or other suitable material.
12. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
13. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
14. Silt fencing must be removed once the area is stabilized.
15. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

16. All impacts within wetlands, surface waters and their banks shall require a Wetland Permit under RSA 482-A.
17. Upon completion of the proposed project, the existing septic system will pose no threat to adjacent surface waters.

2010-02878 BAUMGARTNER, LISA
WAKEFIELD Pine River Pond

Requested Action:

Impact 8,477 sq ft in order to raze dwelling and replace new dwelling. Construct new walkways, patio and septic system.

APPROVE PERMIT:

Impact 8,477 sq ft in order to raze dwelling and replace new dwelling. Construct new walkways, patio and septic system.

With Conditions:

1. All work shall be in accordance with plans by Land Tech dated September 30, 2010 and received by the NH Department of Environmental Services (DES) on October 10, 2010.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. No more than 19.7% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. The project as proposed will leave approximately 12,727 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 9,525 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2010-02910 WILSON, JEAN/MARK
ACWORTH Crescent Lake

Requested Action:

Impact 14,993 sq ft in order to construct a new four bedroom house, septic system, driveway and a future garage.

APPROVE PERMIT:

Impact 14,993 sq ft in order to construct a new four bedroom house, septic system, driveway and a future garage.

With Conditions:

1. All work shall be in accordance with plans by Five Eagles Design LLC dated October 13, 2010 and received by the NH Department of Environmental Services (DES) on October 20, 2010.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. No more than 14.3% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.

4. The project as proposed will leave approximately 5,168 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 3,075 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2010-02911 ORMROD, JEANNE
TUFTONBORO Lake Winnepesaukee

Requested Action:

Impact 3,000 sq ft for the purpose of expanding the footprint of a conforming primary structure and installing stormwater controls and a new septic system.

APPROVE PERMIT:

Impact 3,000 sq ft for the purpose of expanding the footprint of a conforming primary structure and installing stormwater controls and a new septic system.

With Conditions:

1. All work shall be in accordance with revised plans by Peter Cooperdock of Fernstone Associates dated November 11, 2010 and received by the Department of Environmental Services ("DES") on November 19, 2010.
2. No more than 22.4% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. This permit is contingent upon receiving all necessary approvals from the DES Subsurface Systems Bureau.
4. The proposed stormwater management plan shall be designed, installed and maintained to effectively intercept and infiltrate stormwater.
5. No impacts to natural ground cover or native vegetation shall occur within the waterfront buffer.
6. Upon completion of the proposed project, the submitted planting plan will be implemented to ensure that the previously existing deficient grid segment will have at least the minimum score of RSA 483-B:9, V(a)(2)(D) as required by RSA 483-B:9, V, (g), (3).
7. All proposed plantings shall achieve a 100% success rate.
8. The project as proposed will leave approximately 5,164 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. There shall be no impacts to native vegetation between 50 ft and 150 ft of the reference line associated with the proposed project in order to comply with RSA 483-B:9, V, (b), (2), (A), (ii).
9. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on areas determined to remain in an unaltered state.
10. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
11. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
12. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
13. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
14. Any fill used shall be clean sand, gravel, rock, or other suitable material.
15. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
16. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface

waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

17. Silt fencing must be removed once the area is stabilized.

18. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

19. All impacts within wetlands, surface waters and their banks shall require a Wetland Permit under RSA 482-A.

2010-02940 DARTMOUTH COLLEGE, WINSTON CHAMBERS
HANOVER Connecticut River

Requested Action:

Impact 2,966 sq ft in order to replace an existing culvert and add a manhole structure.

APPROVE PERMIT:

Impact 2,966 sq ft in order to replace an existing culvert and add a manhole structure.

With Conditions:

1. All work shall be in accordance with plans by Otter Creek Engineering, Inc. dated October 19, 2010 and received by the NH Department of Environmental Services (DES) on October 25, 2010.
2. No more than 28.5% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately 91,615 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 46,165 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2010-02948 LAMBERT, GILLES
STEWARTSTOWN Connecticut River

Requested Action:

Impact 472 sq ft in order to construct a retaining wall and stair case.

APPROVE PERMIT:

Impact 472 sq ft in order to construct a retaining wall and stair case.

With Conditions:

1. All work shall be in accordance with plans by Beaver Brook Environmental Consultants, LLC dated October 14, 2010 and

received by the NH Department of Environmental Services (DES) on October 26, 2010.

2. No more than 1.1% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately 122,588 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 122,588 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2010-02949 KLAHS, WAYNE
WAKEFIELD Lovell Lake

Requested Action:

Impact 1,303 sq ft in order to replace a septic system and upgrade to a three bedroom design.

APPROVE PERMIT:

Impact 1,303 sq ft in order to replace a septic system and upgrade to a three bedroom design.

With Conditions:

1. All work shall be in accordance with plans by Varney Engineering, LLC dated October 21, 2010 and received by the NH Department of Environmental Services (DES) on October 27, 2010.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. No more than 19.7% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. The project as proposed will leave approximately 7,545 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 6,165 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2010-02950 FREDELLA, LARRY
LONDONDERRY Country Village Pond

Requested Action:

Impact 5,436 sq ft in order to construct a garage and driveway.

APPROVE PERMIT:

Impact 5,436 sq ft in order to construct a garage and driveway.

With Conditions:

1. All work shall be in accordance with plans by Farwell Engineering Services, LLC dated October 20, 2010 and received by the NH Department of Environmental Services (DES) on October 20, 2010.
2. No more than 19.0% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately 8,619 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 7,747 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2010-02951

W3 INVESTMENTS LLC

TILTON Winnepesaukee River

Requested Action:

Impact 11,069 sq ft in order to expand existing parking lot and construct an addition to existing building.

APPROVE PERMIT:

Impact 11,069 sq ft in order to expand existing parking lot and construct addition to existing building.

With Conditions:

1. All work shall be in accordance with plans by CLD Consulting Engineers dated October 13, 2010 and received by the NH Department of Environmental Services (DES) on October 27, 2010.
2. This permit is contingent on approval by the DES Alteration of Terrain Bureau.
3. No more than 29.1% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. The project as proposed will leave approximately 38,915 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 34,020 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2010-02975

PORT WEDELN ASSOCIATION

WOLFEBORO Lake Winnepesaukee

Requested Action:

Impact 3,650 sq ft in order to construct a new terrace wall.

APPROVE PERMIT:

Impact 3,650 sq ft in order to construct a new terrace wall.

With Conditions:

1. All work shall be in accordance with plans by R & M Engineering Consultants dated October 9, 2010 and received by the NH Department of Environmental Services (DES) on October 28, 2010.
2. No more than 24% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. At least 1,763 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2010-03003 STUCCHI, MARY/WILLIAM
BARTLETT Saco River

Requested Action:

Impact 3,140 sq ft in order to remove structure and rebuild a new structure with a septic system.

APPROVE PERMIT:

Impact 3,140 sq ft in order to remove structure and rebuild a new structure with a septic system.

With Conditions:

1. All work shall be in accordance with plans by Thaddeus Thorne Surveys Inc. dated June 15, 2010 and received by the NH Department of Environmental Services (DES) on November 1, 2010.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. No more than 12.1% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. At least 417 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.

9. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2010-03006 COMMUNITY COLLEGE SYSTEM OF NH
BERLIN Androscoggin River

Requested Action:

Impact 1,750 sq ft in order to remove 5 propane tanks and construct a 15 ft x 50 ft concrete pad to hold an above ground propane tank.

APPROVE PERMIT:

Impact 1,750 sq ft in order to remove 5 propane tanks and construct a 15 ft x 50 ft concrete pad to hold an above ground propane tank.

With Conditions:

1. All work shall be in accordance with plans by H.E. Bergeron Engineers, Inc. dated October 20, 2010 and received by the NH Department of Environmental Services (DES) on November 3, 2010.
2. No more than 27% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. At least 36,950 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2010-03007 SMITH, MICHAEL
STRAFFORD Bow Lake

Requested Action:

Impact 412 sq ft in order to construct a deck on existing camp.

APPROVE PERMIT:

Impact 412 sq ft in order to construct a deck on existing camp.

With Conditions:

1. All work shall be in accordance with plans by Michael Smith dated November 1, 2010 and received by the NH Department of Environmental Services (DES) on November 3, 2010.
2. No more than 11.8% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. At least 5,964 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.

5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2010-03024 JOLIN, DONNA/JOHN
GILFORD Lake Winnepesaukee

Requested Action:

Impact 2,531 sq ft in order to remove existing garage and pavement and construct new garage with driveway.

APPROVE PERMIT:

Impact 2,531 sq ft in order to remove existing garage and pavement and construct new garage with driveway.

With Conditions:

1. All work shall be in accordance with plans by DMC Surveyors dated June 21, 2010 and received by the NH Department of Environmental Services (DES) on November 5, 2010.
2. No more than 19.8% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
6. Any fill used shall be clean sand, gravel, rock, or other suitable material.
7. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2010-03025 LACASSE, ROBERT
NEW DURHAM Merrymeeting Lake

Requested Action:

Impact 1,035 sq ft in order to construct a driveway.

APPROVE PERMIT:

Impact 1,035 sq ft in order to construct a driveway.

With Conditions:

1. All work shall be in accordance with plans by Ilex Wetlands Consultants dated October, 29, 2010 and received by the NH Department of Environmental Services (DES) on November 5, 2010.
2. No more than 24.2% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately 8,164 sq ft of the Natural Woodland Buffer beyond the primary building

setback in an unaltered state. At least 2,632 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).

4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2010-03045 ANTONACCI, REBECCA
SPOFFORD Spofford Lake

Requested Action:

Impact 1,560 sq ft in order to replace existing wooden deck and stairs with stone and utilize a temporary access road for construction.

APPROVE PERMIT:

Impact 1,560 sq ft in order to replace existing wooden deck and stairs with stone and utilize a temporary access road for construction.

With Conditions:

1. All work shall be in accordance with plans by Sharon Monahan dated November 6, 2010 and received by the NH Department of Environmental Services (DES) on November 8, 2010.
2. There shall be no impacts within wetlands, surface waters, or their banks until any permit as may be required under RSA 482-A has been obtained.
3. No more than 23.5% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. At least 1,815 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. All temporary and permanent impacts for stone patio and accessory structure construction shall be limited to within the footprints as shown on plans. Impacts outside these footprints and the specified temporary impact road shall be considered a knowing violation of the provisions of this chapter (RSA 483-B).
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. Silt fence shall be installed along the north and east side of temporary access road.
8. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
9. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
10. Any fill used shall be clean sand, gravel, rock, or other suitable material.
11. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

CSPA PERMIT W/WAIVER

2010-02844 **MORGAN, ULTIMA**
BELMONT Lake Winnisquam

Requested Action:

Impact 2,422 sq for the purpose of expanding a nonconforming primary structure.

APPROVE PERMIT:

Impact 2,422 sq for the purpose of expanding a nonconforming primary structure.

WAIVER APPROVED: RSA 483-B:9, II(b) is waived to allow the expansion of a primary structure that encroaches upon the primary building setback.

With Conditions:

1. All work shall be in accordance with plans by NH Environmental Consultants, LLC., dated September 20, 2010 and received by the Department of Environmental Services ("DES") on October 14, 2010 and revised plans received November 10, 2010.
2. This approval includes a waiver of RSA 483-B:9, II (b) and, therefore, shall not be effective until it has been recorded at the appropriate Registry of Deeds and a copy of the recorded waiver is sent to the department by certified mail, return receipt requested.
3. No more than 28.7% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. This permit is contingent upon receiving all necessary approvals from the DES Subsurface Systems Bureau.
5. The proposed stormwater management plan consisting of drip line infiltration trenches and dry wells shall be designed, installed and maintained to effectively intercept and infiltrate stormwater.
6. No impacts to natural ground cover or native vegetation shall occur within the waterfront buffer except that necessary for construction of a 6 foot wide walkway.
7. The projects as proposed shall allow 990 additional sq ft of the natural woodland buffer to revert to an undisturbed, unaltered state as depicted on revised plans received by the Department on November 10, 2010.
8. The project as proposed, coupled with the additional 990 sq ft of unaltered area will leave approximately 2,160 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. There shall be no impacts to native vegetation between 50 ft and 150 ft of the reference line in order to remain complaint with RSA 483-B:9, V, (b), (2), (A), (ii).
9. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on areas determined to remain in an unaltered state.
10. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
11. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
12. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
13. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
14. Any fill used shall be clean sand, gravel, rock, or other suitable material.
15. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
16. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
17. Silt fencing must be removed once the area is stabilized.
18. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.
19. There shall be no impacts within wetlands, surface waters, or their banks until any permit required under RSA 482-A has been obtained.

With Findings:

1. The existing non-conforming structure is located within the 50 ft primary building setback to Lake Winnisquam and, therefore, fails to conform to the setback restriction set forth in RSA 483-B:9, II (b), of the CSPA.
2. In accordance with RSA 483-B:11, II, the commissioner shall review proposals which are more nearly conforming than the existing structures, and may waive some of the standards specified in RSA 483-B:9, so long as there is at least the same degree of protection provided to the public waters and the proposal is "more nearly conforming."
3. The applicant has proposed to enhance the waterfront buffer with additional, native vegetation.
4. The applicant has proposed to enhance the natural woodland buffer by planting additional native vegetation and allowing an additional 990 sq ft to revert to an unaltered state.
5. The applicant has proposed to decrease the overall impervious surface area within the protected shoreland by 96 sq ft.
6. The applicant has proposed to install stormwater controls consisting of 1 foot deep x 2 feet infiltration trenches under the drip edges of the proposed structure.
7. The applicant has proposed to install stormwater controls consisting (2) drywells capable infiltrating roof runoff via a gutter system.
8. The applicant has proposed to install significant stormwater controls, and significantly enhance the waterfront and natural woodland buffers, and therefore, meets the requirements for a waiver of RSA 483-B:9 as described in RSA 483-B: 11, I.

2010-03039 ALLEN, GORDON
ATKINSON Island Pond

Requested Action:

Impact 8,342 sq ft for the purpose of expanding a nonconforming primary structure, installing stormwater controls, and a new septic system.

APPROVE PERMIT:

Impact 8,342 sq ft for the purpose of expanding a nonconforming primary structure, installing stormwater controls, and a new septic system.

WAIVER APPROVED: RSA 483-B:9, II(b) is waived to allow the expansion of a primary structure that encroaches upon the primary building setback.

With Conditions:

1. All work shall be in accordance with proposed conditions plans by James M. Lavelle Associates dated September 1, 2010 and received by the Department of Environmental Services ("DES") on November 8, 2010.
2. This approval includes a waiver of RSA 483-B:9, II (b) and, therefore, shall not be effective until it has been recorded at the appropriate Registry of Deeds and a copy of the recorded waiver is sent to the department by certified mail, return receipt requested.
3. No more than 17.5% of the area of the lot within the protected shoreland shall be composed of impervious surfaces unless additional approval is obtained from DES.
4. This permit is contingent upon receiving all necessary approvals from the NH DES Subsurface Systems Bureau and installing the proposed septic system.
5. The proposed stormwater management plan shall be designed, installed and maintained to effectively intercept and infiltrate stormwater.
6. All pervious technologies used shall be designed, installed and maintained to effectively absorb and infiltrate stormwater.
7. No impacts to natural ground cover or native vegetation shall occur within the waterfront buffer.
8. There shall be no impacts within wetlands, surface waters, or their banks without a Wetland Permit under RSA 482-A.
9. Upon completion of the proposed project, the submitted planting plan shall be implemented to ensure that each previously existing deficient grid segment will have at least the minimum score of RSA 483-B:9, V(a)(2)(D) as required by RSA 483-B:9, V, (g), (3).
10. The project as proposed will leave approximately 163 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. In order to remain compliant with RSA 483-B:9, V, (b), (2), there shall be no impacts to existing native vegetation between 50 feet and 150 feet from the reference line.

11. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on areas determined to remain in an unaltered state.
12. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
13. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
14. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
15. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
16. Any fill used shall be clean sand, gravel, rock, or other suitable material.
17. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
18. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
19. Silt fencing must be removed once the area is stabilized.
20. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

With Findings:

1. The existing non-conforming structure is located within the 50 ft primary building setback to Island Pond and, therefore, fails to conform to the setback restriction set forth in RSA 483-B:9, II (b), of the CSPA.
2. In accordance with RSA 483-B:11, II, the commissioner shall review proposals which are more nearly conforming than the existing structures, and may waive some of the standards specified in RSA 483-B:9, so long as there is at least the same degree of protection provided to the public waters and the proposal is "more nearly conforming."
3. The applicant has proposed to remove impervious surface coverage within the waterfront buffer of the protected shoreland by achieving a greater setback from the reference line.
4. The applicant has proposed a net decrease in impervious area of the lot within the protected shoreland by 866 sq ft.
5. The applicant has proposed to convert an existing driveway to a pervious material.
6. The applicant has proposed to install stormwater controls consisting of rain gutters capable of directing stormwater to drywells.
7. The applicant has proposed to install a new NH DES Subsurface Bureau approved wastewater treatment system.
8. The applicant has proposed to install stormwater controls, install a new septic system, and reduce the total amount of impervious surface coverage within the protected shoreland, and therefore, meets the requirements for a waiver of RSA 483-B:9 as described in RSA 483-B: 11, I.

2010-03047 ERNEST D SACKETT JR REVOC TRUST
MEREDITH Lake Winnepesaukee

Requested Action:

Impact 4,630 sq ft for the purpose of expanding a nonconforming primary structure, installing stormwater controls, and a new septic system.

APPROVE PERMIT:

Impact 4,630 sq ft for the purpose of expanding a nonconforming primary structure, installing stormwater controls, and a new septic system.

WAIVER APPROVED: RSA 483-B:9, II(b) is waived to allow the expansion of a primary structure that encroaches upon the primary building setback.

With Conditions:

1. All work shall be in accordance with Proposed Conditions plans by Ames Associates, dated November 4, 2010 and received by the Department of Environmental Services ("DES") on November 8, 2010.
2. This approval includes a waiver of RSA 483-B:9, II (b) and, therefore, shall not be effective until it has been recorded at the appropriate Registry of Deeds and a copy of the recorded waiver is sent to the department by certified mail, return receipt requested.
4. This permit is contingent upon receiving all necessary approvals from the NH DES Subsurface Systems Bureau and installing the proposed septic system.
5. No more than 5.7% of the area of the lot within the protected shoreland shall be composed of impervious surfaces unless additional approval is obtained from DES.
6. The proposed stormwater management plan shall be designed, installed and maintained to effectively intercept and infiltrate stormwater.
7. No impacts to natural ground cover or native vegetation shall occur within the waterfront buffer.
8. There shall be no impacts within wetlands, surface waters, or their banks shall without first obtaining a Wetland Permit under RSA 482-A.
9. Upon completion of the proposed project, the submitted planting plan shall be implemented to ensure that all proposed plantings achieve a 100% success rate.
10. The project as proposed will leave approximately 7,030 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 6,533 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to remain compliant with RSA 483-B:9, V, (b), (2).
11. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
12. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
13. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
14. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
15. Any fill used shall be clean sand, gravel, rock, or other suitable material.
16. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
17. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
18. Silt fencing must be removed once the area is stabilized.
19. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

With Findings:

1. The existing non-conforming structure is located within the 50 ft primary building setback to Lake Winnepesaukee and, therefore, fails to conform to the setback restriction set forth in RSA 483-B:9, II (b), of the CSPA.
2. In accordance with RSA 483-B:11, II, the commissioner shall review proposals which are more nearly conforming than the existing structures, and may waive some of the standards specified in RSA 483-B:9, so long as there is at least the same degree of protection provided to the public waters and the proposal is "more nearly conforming."
3. The applicant has proposed to plant additional plantings within the waterfront buffer that will allow a deficient grid segment to meet the 50 point tree and sapling score.
4. The applicant has proposed to install stormwater controls consisting of infiltration trenches below the drip edges of the structure.
5. The applicant has proposed to install a new NH DES Subsurface Bureau approved wastewater treatment system.
6. The applicant has proposed to install stormwater controls, install a new septic system and enhance the waterfront buffer, and therefore, meets the requirements for a waiver of RSA 483-B:9 as described in RSA 483-B: 11, I.

FORESTRY W/PRIME WETLAND

2010-03115 SIMONSEN, EDWIN
DERRY Unnamed Stream

Requested Action:

Prime wetland waiver request

OTHER:

Approve prime wetland waiver request.

With Conditions:

1. All work shall be in accordance with plans by Richard Lewis dated 11-15-10, as received by the NH Department of Environmental Services (DES) on 11-15-10.
2. All work shall be done in accordance with the Best Management Practices for Timber Harvesting.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. A 100- 150 foot un-cut buffer shall be maintained around the Town of Derry designated prime wetlands.

With Findings:

1. Applicant proposes to upgrade existing class 6 road by placing riprap on wash out area within 100' prime wetland buffer.
2. Proposed timber cut will not take place within 150' of any the prime wetlands or its buffer.
3. The proposed timber operation and supporting access will not impact any of the prime wetland values.
4. Despite existing surrounding development, prime wetlands in area remain undisturbed and rank high for wildlife activity.